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VIA ELECTRONIC-FILING

The Honorable Leonard P. Stark
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801-3556

Re: International Business Machines Corporation v. Groupon, Inc., C.A. No. 16-122-LPS

Dear Chief Judge Stark:

The parties in the above-referenced matter, Plaintiff International Business Machines Corporation (“IBM”) and Defendant Groupon, Inc. (“Groupon”), write to request the scheduling of a discovery teleconference, pursuant to paragraph 8g of the Court’s Scheduling Order. (D.I. 17). The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in verbal meet-and-confer sessions by telephone on July 11, 2017 and made efforts to further confer but are at an impasse.

Delaware Counsel:

David Moore for IBM
John Day for Groupon

Lead Counsel:

Karim Oussayef for IBM
Laurie Stempler for IBM
Robert Harrits for IBM
Phillip Haack for Groupon
Sapna Mehta for Groupon

The disputes requiring judicial attention are listed below:

- IBM seeks to compel Groupon to identify witnesses and offer deposition dates for all of the topics from IBM’s Second and Third Deposition Notices to Groupon, and topics 2, 4, 5, 6, 7, and 9 from IBM’s First Deposition Notice to Groupon.
- IBM seeks to compel Groupon to complete its source code production for the Accused Instrumentalities.

Respectfully,

/s/ Bindu A. Palapura

Bindu Palapura

BAP:nmt/5307151/43155

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)